

COUNCIL CHAMBERS CITY COUNCIL
CITY HALL - CITY OF LODI
MONDAY, AUGUST 25, 1947

Pursuant to the adjournment taken from its regular meeting of August 20th, the City Council of the City of Lodi met in adjourned regular session at 8:00 o'clock P.M. of Monday, August 25, 1947, Councilmen Haskell, Lytle, Riggs, Tolliver and Rinn (Mayor) present, none absent.

The minutes of the meeting of August 20th were read, approved as read and so endorsed by the Mayor.

The principal purpose of this meeting being to hear protests against the location and operation of works for the disposal of garbage and rubbish by the City on the land purchased from Fredrickson and Watson Construction Company near the Live Oak District, Mayor Rinn invited Mr Joseph C. Tope, Attorney for a Committee of Property Owners from that district to address the Council.

Mr Tope introduced members of the protesting property owners and outlined their reasons as set forth in a complaint filed by them in the Superior Court of San Joaquin County and in the ~~temporary restraining order~~ issued by the Court in compliance thereto. Mr Tope further alleged that the operation of the proposed works would depreciate property values in the Live Oak District, pollute the water supply from shallow wells and, in flood seasons, wash garbage and offal on the neighboring properties.

J. F. Lehman, Clerk of Live Oak School District Board of Trustees spoke on behalf of that school, stating that a recent bond issue of \$160,000 for a new school building had been predicated on increases in population in the district and that establishment of the City's works would deter any one from building in its vicinity.

Peter Robustelli, proprietor of the merchandise store at Live Oak Road and Cherokee Lane endorsed the statements of previous speakers as did Messrs Mattingly and Dyer.

Mayor Rinn then detailed previous efforts of the City Council to acquire a refuse disposal site in another locality, abandoned because of right of way difficulties and other undesirable functional features, assuring the protestants that the City contemplated and would operate its works in the most approved sanitary manner so that no nuisance would occur. City Attorney Glenn West stated that state laws provided ample protection against a refuse disposal plant becoming offensive or dangerous to health.

After discussion of the impending hearing to show cause why the City should not be enjoined from operating its refuse disposal works at the proposed location between Mr West and Mr Tope, it was moved by Councilman Lytle, Tolliver second, that Mr West enter a stipulation to the effect that the hearing set for August 27, 1947 by the Judge of the Superior Court, Department 2, San Joaquin County to show cause why the City should not be temporarily restrained during pendency of action, from operating this garbage disposal works, be postponed to such a time as either party therein might elect after at least ten days notice given to the other party. Motion carried and protestants left the room.

Resolution No. 1355, a resolution authorizing and containing therein an agreement with the Board of Supervisors of San Joaquin County providing for the removal of earth piled on two county roads adjacent to the new garbage disposal site by either the City of Lodi or by Fredrickson and Watson Construction Company under certain conditions was regularly introduced, read and adopted by the following vote:

AYES: Councilmen, Lytle, Tolliver, Riggs, Haskell and Rinn
NOES: Councilmen, None. ABSENT: None.

At 10:10 o'clock P.M. the City Council adjourned on motion of Councilman Riggs., to and until 8:00 P.M. of Wednesday, August 27, 1947.

Attest:

J. F. Bramey
City Clerk.

The foregoing minutes read and approved
without correction on August 27, 1947
with the exceptions shown in red above

Robert J. Rinn
MAYOR.

August 27, 1947